

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H402072

GERALD HARRISON, Employee	CLAIMANT
DRIVERS SELECT, INC., Employer	RESPONDENT
QBE INSURANCE/SEDGWICK CLAIMS MGT., Carrier/TPA	RESPONDENT

OPINION/ORDER FILED JANUARY 22, 2025

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Fort Smith, Sebastian County, Arkansas.

Claimant not represented by counsel and not appearing at the hearing.

Respondents represented by KAREN H. MCKINNEY, Attorney, Little Rock, Arkansas.

OPINION/ORDER

This case comes on for review following a hearing on respondent's Motion to Dismiss.

Claimant was involved in a motor vehicle accident on January 27, 2024. On March 26, 2024, Form AR-C was filed alleging a compensable injury and requesting various compensation benefits. A pre-hearing conference was conducted on June 5, 2024, and a hearing was scheduled for September 9, 2024.

Prior to the scheduled hearing, respondent requested a cancelation due to the claimant not responding to discovery requests propounded in April, 2024. That request was granted and on October 30, 2024, claimant's attorney filed a Motion to Withdraw which was granted by Order dated November 15, 2024.

Shortly thereafter, respondent filed the present Motion to Dismiss. A hearing was

scheduled on the respondent's motion for January 13, 2025, and notice of the hearing was sent to claimant by certified mail. The certified mail notice was returned as "Unclaimed." Claimant did not appear at the hearing and has not responded to the respondent's motion.

After my review of the respondent's motion, the claimant's failure to respond thereto, and all other matters properly before the Commission, I find that respondent's motion to dismiss this claim should be and hereby is granted. This dismissal is pursuant to Commission Rule 099.13 and it is without prejudice.

IT IS SO ORDERED.

GREGORY K. STEWART
ADMINISTRATIVE LAW JUDGE